

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MELLONESE BRASCOMB,

PLAINTIFF,

v.

AMERICAN BANKERS
INSURANCE COMPANY OF
FLORIDA, et al.,

DEFENDANTS.

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CASE NO.2:06-cv-1015-MEF

JOINT STATUS REPORT

COME NOW the Plaintiff, Mellonese Brascomb, and the Defendant, American Bankers Insurance Company of Florida, and pursuant to the Court's Order, hereby submit this joint report on the status of arbitration:

1. The parties last submitted a Joint Report on the Status of Arbitration on May 1, 2007.
2. Since that time, the parties conducted a scheduling conference with the arbitrator, Phillip E. Adams, Esq. The arbitrator wrote a letter setting forth the schedule which will govern this arbitration. A copy of said letter is attached hereto as **Exhibit A**.

Respectfully submitted on the 5th day of June, 2007.

/s/Samuel L. Adams
Attorney for Plaintiff

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May 1, 2007

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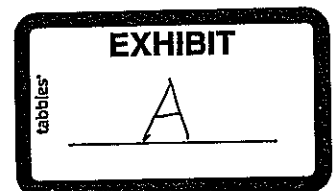
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RE: *Mellonese Brascomb v. American Bankers Company of Florida*
The United States District Court 06-CV-1015MEF

Dear Lawyers:

This letter will confirm our telephone conversation of May 1, 2007, wherein you requested that I serve as arbitrator in the above-referenced matter. We have agreed that the arbitration will be held in my office in Opelika commencing at 10:00 a.m. on Tuesday, October 16, 2007. I have reserved October 16 and October 17 for this arbitration. If either of you believe that the arbitration can be conducted in less time please let me know.

We agreed that limited discovery will be conducted. The plaintiff will be allowed to take the insurance adjuster's deposition and the defendant may take the deposition of the plaintiff and her daughter, Marilyn Ginn. We agreed that the depositions would be limited to three hours each unless special circumstances require an extension. Please let me know if there is a problem.



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May 1, 2007

The plaintiff has identified Mike Bassell as an expert in the case. The plaintiff will identify such other experts on or before June 15 and will further make such Rule 26 disclosures as are required under the rule. The defendant will identify its experts on or before July 15, 2007.

The plaintiff and defendant will furnish each other all documents either of you expect to use at the hearing. The plaintiff's documents will be furnished on or before June 15, 2007, and the defendant's documents will be furnished on or before July 15, 2007.

I advised you that I use relaxed rules of evidence and will be fairly liberal with my rulings in terms of the admissibility of evidence at the hearing. However, I assign such weight to the testimony as I deem appropriate given its deviation from the strict rules of evidence.

My hourly rate for arbitrations is \$225 per hour.

I sincerely appreciate your confidence in allowing me to serve as the arbitrator in this matter. Please don't hesitate to contact me should you have any questions.

With kindest regards, I remain,

Yours very truly,


PHILLIP E. ADAMS, JR.

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